IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

MONDAY, THE 16TH JULY 2007 / 25TH ASHADHA 1929

WP(C).No. 21769 of 2007(N)

PETITIONER:

THE MANAGER, A.M.L.P.SCHOOL,
KOTTAMTHALA, ULLANAM P.O.,
PARAPPANANGADY, MALAPPURAM DISTRICT.

BY ADV. SRI.MILLU DANDAPANI

RESPONDENTS:

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1. THE SECRETARY TO GOVERNMENT,
GENERAL EDUCATION DEPARTMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM.

2. THE DIRECTOR OF PUBLIC INSTRUCTIONS,
JAGATHY, THIRUVANANTHAPURAM.

3. THE SECRETARY,
PARAPPANANGADI GRAMA PANCHAYATH,
PARAPPANANGADI.

BY GOVERNMENT PLEADER SRI.A.J.VARGHESE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 16/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

A.K.BASHEER, J.

W.P.(C)No.21769 OF 2007

Dated this the 16th day of July, 2007

JUDGMENT

Petitioner is stated to be the manager of A.M.L.P. School at Kottamthala in Malappuram District. He claims that his request for upgradation of the school as Upper Primary, is likely to be allowed, particularly in the light of the new guidelines issued by the Government in Ext.P2 order. For this purpose, recommendation of the local Panchayat is necessary as stipulated in Ext.P2. Learned counsel points out that petitioner has preferred Ext.P3 request before respondent no.3, Secretary, Parappanangadi Grama Panchayat. The limited prayer in this writ petition is to issue an appropriate direction to respondent no.3 to place the request made by the petitioner before the meeting of the Panchayat for consideration.

2. Having heard learned counsel for the petitioner and having perused the materials on record, I do not deem it necessary to issue notice to the respondents. In my view the writ petition can be disposed of with appropriate directions.

Therefore, the writ petition is disposed of with a direction to respondent no.3 to place the request, if any, that is stated to have been submitted by the petitioner before the committee of the Panchayat in accordance with law and the relevant rules of procedure for consideration. This shall be done as expeditiously as possible, at any rate, within three weeks from the date of receipt of a copy of this judgment. Needless to mention that petitioner shall be afforded sufficient opportunity to be heard before any decision is taken in the matter, if found necessary. Petitioner shall produce a copy of the writ petition along with a certified copy of the judgment before respondent no.3 for compliance.

A.K.BASHEER, JUDGE

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